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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Chiu, et al.
Appl. No. : 09/843,025
Filed : April 25, 2001
For : METHOD OF FABRICATING
MICROMACHINED DEVICES
Examiner : Scott B. Geyer

Group Art Unit 2829

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: United States Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202, on

July 9, 2002

(Date)

Bruce S. Itchkawitz, Reg. No. 47,677

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RESPONSE TO RESTRICTION REQUIREMENT

United States Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

In the Office Action mailed May 30, 2002, the Examiner indicated that the above-referenced application contains claims to the following patentably distinct species of the claimed invention:

- Group I: Figures 1 and 2;
- Group II: Figures 3 and 4;
- Group III: Figures 5A and 5B;
- Group IV: Figure 6;
- Group V: Figures 7A through 7C;
- Group VI: Figure 9;
- Group VII: Figure 10;
- Group VIII: Figures 15A and 15B;
- Group IX: Figure 16;
- Group X: Figure 24.

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In response, Applicants elect the species of Group VIII: Figures 15A and 15B. Applicants submit that pending method Claims 1-37 read on the elected species in the sense that the claimed methods can be used in the fabrication of the apparatus illustrated by Figures 15A and 15B.

Applicants question whether the application can logically be divided into species based on drawings which show embodiments of apparatus fabricated by the claimed methods. Applicants note that all of the pending claims are method claims, each of which can be used to fabricate the apparatus illustrated by the figures cited by the Examiner.

Applicants submit that if the species were organized by methods, rather than drawings of embodiments of apparatus fabricated by the methods, the claims should be grouped as follows:

- 1) Claims 1-30 and 34-37, which are directed to methods of fabricating a module for at least partially intercepting a light beam propagating along a beam path.
- 2) Claims 31-33, which are directed to methods of fabricating a device on a substrate, the device comprising at least one fragile component.

Applicants propose that the above groupings be adopted to define species for this application. If the Examiner agrees with these groupings, Applicants elect Group (1): Claims 1-30 and 34-37.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 7/9/02

By: Bruce S. Itchkawitz

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